

USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

18. Summary of Dimensional Standards in the Zoning Districts

(see zoning ordinance §78-301(B), *Table of Dimensional Standards in the Residential Zoning Districts*, and §78-302(B), *Table of Dimensional Standards in the Business Zoning Districts*.)

The Town of Herndon zoning ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

What are Dimensional Standards?

The Commonwealth of Virginia provides that local jurisdictions may zone land according to land use, based on the local comprehensive plan. The Mayor and Town Council of Herndon adopted a zoning ordinance which is regulatory and which describes where land use activities may be conducted within the town. The zoning ordinance is a legal document and its regulations are law. In addition to providing information about land uses permitted in each zoning district, the zoning ordinance prescribes where buildings may be placed on a lot as well as the building's size and height. These are "dimensional standards" and they differ depending on the use of the building and whether it is located in a residential district, business district, industrial district, or planned development district.

The attached tables list dimensional standards for each zoning district (other than planned development districts.) These standards may be further limited or modified by other applicable zoning ordinance provisions. The Town staff is available to answer specific questions.

Planned development districts do not appear in the tables of dimensional standards because there is great flexibility in planned development districts. Using criteria listed in the regulations for each type of planned development district, the developer, the Town staff, and Town leaders work together to achieve design objectives. For standards in planned development districts, see zoning ordinance §78-303, *Planned Development Districts*.

What do the Terms in the Tables mean?

Dimensional standards are expressed using terms that are specifically defined in the zoning ordinance. Some of those terms include:

- ✍ **Buffer.** An area of land that: (a) typically includes landscaping, berms, walls, fences, setbacks and required yards; (b) is located between land uses of different character; and (c) is intended to mitigate negative impacts of the more intense use on a less intense use or vacant parcel. (See also section 78-503, site landscaping, for buffer requirements.)
- ✍ **Building, height.** The vertical distance, from the grade to:
 - (1) The highest point of the coping of a flat roof;
 - (2) The deck line of a mansard roof;
 - (3) To the mean height level between eaves and ridge for gable, hip and gambrel roofs. See also "grade."
- ✍ **Coverage, lot.** The percentage of the lot covered by buildings or structures.
- ✍ **Density, gross.** The number of dwelling units on a particular tract or parcel of land divided by the entire area of that tract or parcel. Density is expressed as "dwellings per acre."
- ✍ **Floor area ratio.** A quotient which is determined by dividing the total floor area of all buildings on a lot, by the gross area of the lot. Atriums not designed for occupancy and not occupied, and parking structures, both above and below grade, are excluded from the computation of floor area ratio.
- ✍ **Impervious surface.** Any material that prevents, impedes, or slows infiltration or absorption of storm water directly into the ground as compared to the rate of absorption of vegetation-bearing soils. Such materials may include but are not limited to: buildings, asphalt, concrete, brick, paving block, gravel, and other surfaces. See also "paved surface."
- ✍ **Lot width.** The distance between the side lot lines measured at the required front yard line.
- ✍ **Lot, area.** The total area included within the lot lines of a lot.
- ✍ **Open space.** Land which is not occupied by a building, parking or loading space, vehicular travel lane, driveway, street, or sidewalk in the public right-of-way. Open space may contain landscaping, walks, paths, trails, plazas, stormwater management facilities provided as a landscape amenity, play equipment, pools, basketball courts,

and the like. See also definition of "green space," and open space standards in article V.

- ✍ **Setback.** The minimum distance by which any building or structure must be separated from the front lot line or any lot line adjoining a street.
- ✍ **Yard.** That portion of a lot area and the space above it not containing any portion of a principal structure, except as otherwise provided in this chapter.
- ✍ **Yard, front.** A yard extending across the front of a lot between the side lot lines, the minimum depth of which is the required setback. On corner lots, the front yard shall be considered as parallel to the streets upon which the lot has frontage.
- ✍ **Yard, rear.** A yard extending across the rear of the lot between the side lot lines on interior lots, the depth of which is the minimum parallel distance between the rear lot line and the rear of the main building.
- ✍ **Yard, side.** A yard between the main building and the side line of the lot and extending from the setback line to the rear yard on interior lots, the width of which being the minimum horizontal distance between the side lot line and the side of the main building.

prohibition, or limitation imposed by the zoning ordinance, or the terms or conditions of any permit or other development approval or authorization granted pursuant to this chapter, is a violation of the zoning ordinance. Therefore, the dimensional standards must be met.

When the zoning administrator finds that any activity, building, structure, or land is in violation of the zoning ordinance, the zoning administrator notifies, in writing, the person violating the zoning ordinance. If the violation is not corrected within a reasonable period of time, as provided in the notification, the zoning administrator takes appropriate action to correct and abate the violation and to ensure compliance with the ordinance. Any person, firm or corporation who as the owner of any land, building or structure, or the agent having possession or control of such property as employee, lessee, tenant, architect, builder, contractor or otherwise, knowingly refuses or neglects to comply with any written order issued by the zoning administrator to abate any violation of the zoning ordinance is guilty of a misdemeanor punishable by a fine of not less than \$10.00 nor more than \$1,000.00. If the violation is uncorrected at the time of the conviction, the court orders the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period constitutes a separate misdemeanor offense punishable by a fine of not less than \$10.00 nor more than \$1,000.00, and any such failure during any succeeding ten-day period constitutes a separate misdemeanor offense for each ten-day period, punishable by a fine of not less than \$10.00 nor more than \$1,500.00.

What is the Consequence if a Landowner Cannot Meet the Dimensional Standards?

As described in zoning ordinance §78-203, *Enforcement and Remedies*, Compliance with all provisions of the zoning ordinance is required and any failure to comply with a requirement, standard,

Need more information?

Got a question on required permits, the permit process, or application requirements? Call or make an appointment to see a member of the staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20172.

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Sample Terms Used With Dimensional Standards

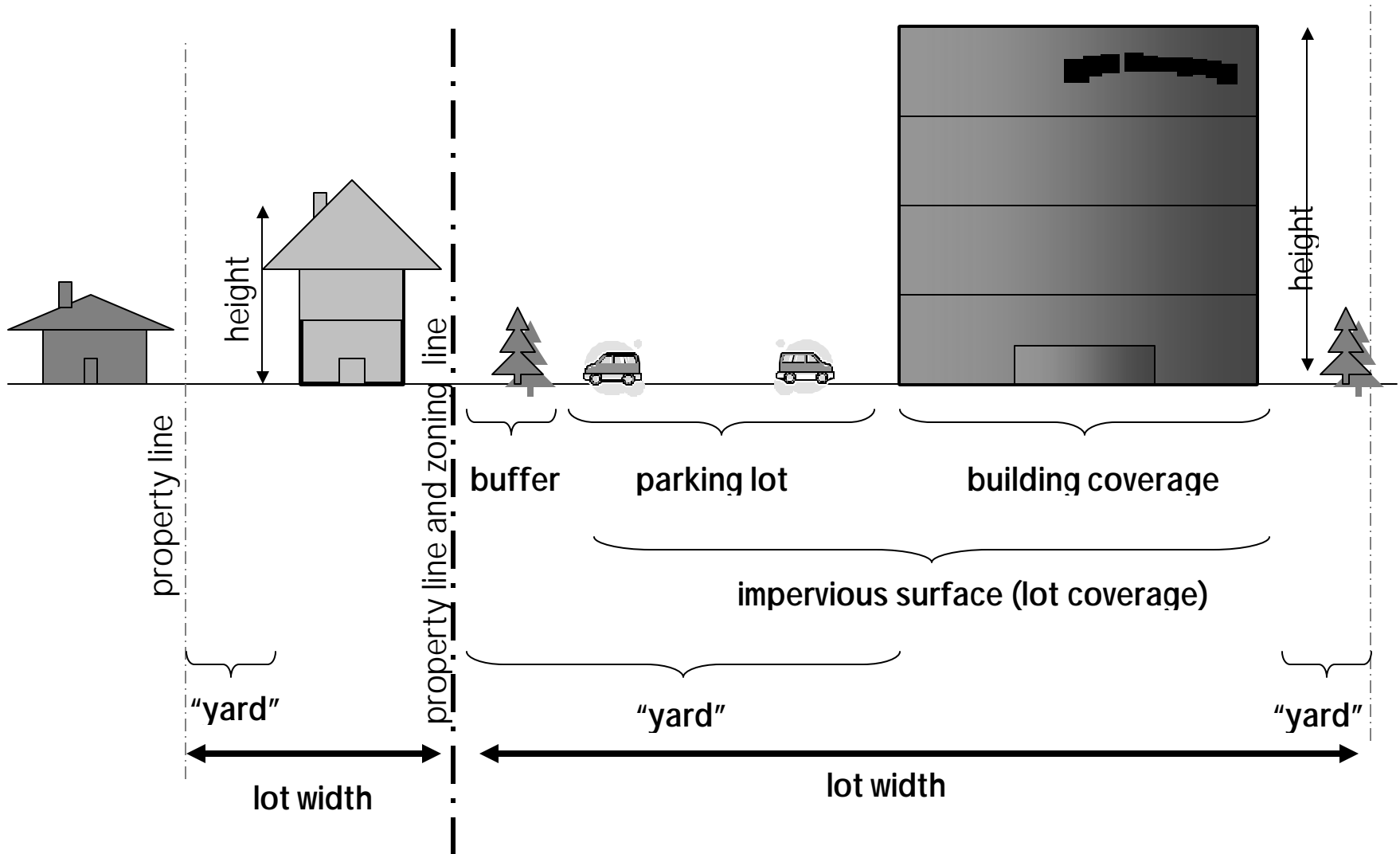


TABLE 78-301(b): TABLE OF DIMENSIONAL STANDARDS IN THE RESIDENTIAL ZONING DISTRICTS, PART ONE

District	R-15	R-10	Special Exception Uses in R-15 and R-10
Minimum lot area (square feet)	15,000	10,000	15,000 8,500 for lots dedicated solely to public park land or open space
Minimum width at setback line (feet)	Interior lots: 90 Corner lots: 100	Interior lots: 75 Corner lots: 100	Interior lots: 90 Corner lots: 100
Minimum setback (feet)	45 See § 78-304(c)(4), reduction of setback (in the HP district)	35 See § 78-304(c)(4), reduction of setback (in the HP district)	Greater of: 35 from edge of ROW, 60 from centerline, or building height
Minimum side yard (feet)	15	10	a. Adj. to resid. dist: greater of 10, or building height; b. Otherwise, 10
Minimum rear yard (feet)	25	25	a. Adj. to resid. dist: greater of 25, or building height b. Otherwise, 25
Maximum height (feet)	35	35	45
Maximum gross density (dwellings per acre)	2.9	4.4	N/A
Minimum open space	N/A	N/A	30%
Maximum building coverage on individual lot (building footprint as share of total lot area)	25%	25%	25%
Maximum impervious surface as share of site (including buildings)	50%	50%	50%
Area paved for parking (square feet). Counts toward maximum impervious surface. See also § 78-500(a)(1), off-street parking and loading.	Maximum: 35% of the front yard of the dwelling	Maximum: 35% of the front yard of the dwelling	
Minimum distance between paved surfaces and property line (feet)	2	2	Subject to buffer requirements for nonresidential uses in article V, development standards.

TABLE 78-301(b): TABLE OF DIMENSIONAL STANDARDS IN THE RESIDENTIAL ZONING DISTRICTS, PART TWO

District	RTC	RM	Special Exception Uses in RTC and RM
Minimum lot area (square feet)	None	8,500	8,500
Minimum lot width at setback line (feet)	<p>22 (excluding side yards of building groups) 34 minimum for end unit, based on a minimum end unit width of 24 with a ten-foot side yard.</p> <p>May also be affected by § 78-401(b)(4)d.2., projects containing multi-Family dwellings, townhouses, and duplexes.</p>	<p>For multifamily dwellings: Interior lots: 80 Corner lots: 100</p> <p>For townhouse and duplex dwellings: 22 (excluding side yards of building groups). 34 for end unit, based on a minimum end unit width of 24 with a ten foot side yard.</p> <p>May also be affected by § 78-401(b)(4)d.2., projects containing multi-family dwellings, townhouses, and duplexes.</p>	<p>Interior lots: 90 Corner lots: 100</p>
Minimum setback (feet)	<p>The greater of: (a) 10 from front lot line; or (b) as specified by the buffer classification in § 78-503(d)(1) and § 78-503(d)(2).</p> <p>May also be affected by § 78-401(b)(4)b., developments containing multi-family, townhouse, rental townhouse residential development, quadruplex and duplex dwellings.</p>	<p>The greater of: (a) 50 from property lines along streets bounding the development; or (b) as specified by the buffer classification in § 78-503(d)(1) and § 78-503(d)(2).</p> <p>May also be affected by § 78-401(b)(4)b., developments containing multi-family, townhouse, rental townhouse residential development, quadruplex and duplex dwellings.</p>	<p>Greater of: 35 from edge of ROW, 60 from centerline, or building height</p>
Minimum side yard (feet)	<p>10 for end units. Also governed by § 78-401, principal uses: categories and types.</p>	<p>10 for structures up to two stories; 15 for structures over 2 stories.</p> <p>May also be affected by § 78-401(b)(4)(b), developments containing multi-family, townhouse, rental townhouse residential development, quadruplex and duplex dwellings.</p>	<p>a. Adj. to resid. dist: greater of 10 or building height b. Otherwise, 10</p>
Minimum rear yard (feet)	<p>20 within each lot.</p> <p>May also be affected by § 78-401(b)(4)b., developments containing multi-family, townhouse, rental</p>	<p>25.</p> <p>May also be affected by § 78-401(b)(4)b., developments containing multi-family, townhouse, rental</p>	<p>a. Adj. to resid. dist: greater of 25 or building height b. Otherwise, 25</p>

TABLE 78-301(b): TABLE OF DIMENSIONAL STANDARDS IN THE RESIDENTIAL ZONING DISTRICTS, PART TWO

District	RTC	RM	Special Exception Uses in RTC and RM
	townhouse residential development, quadruplex and duplex dwellings.	townhouse residential development, quadruplex and duplex dwellings.	
Maximum height (feet)	35	45	45
Maximum gross density (dwellings per acre)	10	10 for townhouse dwellings 15 for all other permitted dwelling unit types 16-22 for multi-family dwellings with a Special Exception	N/A
Minimum dwelling unit area (square feet)	1,800 for duplex and townhouse dwellings	1,800 for townhouse dwellings	
Minimum open space (as share of development site)	30% (exclusive of permeable land in individual lots)	30% (exclusive of permeable land in individual lots)	30%
Maximum building coverage on individual lot	N/A	30% for multi-family dwellings	25%
Maximum impervious surface as share of site (including buildings)	75%	75%	50%
Minimum distance between any property line and any paved surfaces on the site (feet)	2 on each townhouse lot and for improvements outside of lots except as provided in landscape requirements in article V, development standards	2, except as provided in landscape requirements in article V, development standards	Subject to buffer requirements for nonresidential uses in article V, development standards
Minimum distance between buildings on individual lot (feet)	30 between building groups 10 between townhouse and accessory structures on the same lot	30 between building groups; 10 between principal structures and accessory structures on the same lot	Subject to buffer requirements for nonresidential uses in article V, development standards
Minimum distance between accessory structure and property line (feet)	2	Subject to buffer requirements for residential uses in article V, development standards	Subject to buffer requirements for nonresidential uses in article V, development standards

Abbreviations and terms:

1. Adj. to resid. dist.: indicates that a special side or rear yard requirement applies for every lot line abutting existing single family detached development or undeveloped land in a single-family detached zoning district. The special yard requirement is as indicated above.
2. Building height: indicates that the required setback or yard is equal to the height of the building on the development site.
3. N/A: indicates that the standard does not apply in the zoning district.
4. ROW: abbreviation for "right-of-way,"; can be either a public or private street, road, or access way.

TABLE 78-302(b): TABLE OF DIMENSIONAL STANDARDS IN THE BUSINESS ZONING DISTRICTS

District	CC All Uses	CO All Uses	CS All Uses	O&LI All Uses
Minimum lot area (sf)	None	10,000	None	None
Minimum width at setback line (ft)	None	Interior lots: 60 Corner lots: 100	None	None
Minimum setback (ft)	Refer to § 78-511, downtown	Greater of: (a) 25; or (b) building height; or (c) as specified by the buffer classification in § 78-503(d)(1) and § 78-503(d)(2).	Greater of: (a) 50; or (b) as specified by the buffer classification in § 78-503(d)(1) and § 78-503(d)(2). With a maximum setback: 100	For buildings erected after the effective date of this chapter: Greater of: (a) 35; or (b) building height; or (c) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2). For buildings erected before the effective date of this chapter: 35
Minimum side yard (ft)	Adj. to resid. dist: greater of 25 or building height; otherwise, no minimum side yard See also § 78-503(d)(1) and § 78-503(d)(2).	Adjacent to residential districts, greater of: (a) 25; or (b) building height; or (c) as specified by the buffer classification in § 78-503(D)(1) and § 78-503(d)(2). Not adjacent to residential districts, greater of: (a) 10 or; (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2).	Adjacent to residential districts, greater of: (a) 25; or (b) building height; or (c) as specified by the buffer classification in § 78-503(d)(1) and section 78-503(d)(2). Not adjacent to residential districts, greater of: (a) 7.5; or (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2).	Adjacent to residential districts, greater of: (a) 100, with no parking with 60' of the residential district; or (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2). Not adjacent to residential districts, greater of: (a) 30; or (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2).
Minimum rear yard (ft)	Adj. to resid. dist: greater of 25 or building height; otherwise, no minimum yard See also section 78-503(d)(1) and section 78-	Adjacent to residential districts, greater of: (a) 25; or (b) building height; or (c) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2). Not adjacent to residential districts,	Adjacent to residential districts, greater of: (a) 25; or (b) building height; or (c) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2). Not adjacent to residential districts,	Adjacent to residential districts, greater of: (a) 100, with no parking with 60 of the residential district; or (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2). Not adjacent to residential districts,

TABLE 78-302(b): TABLE OF DIMENSIONAL STANDARDS IN THE BUSINESS ZONING DISTRICTS

District	CC All Uses	CO All Uses	CS All Uses	O&LI All Uses
	503(d)(2).	greater of: (a) 10 or; (b) as specified by the buffer classification in section 78-503(d)(1) and § 78-503(d)(2).	greater of (a) 7.5; or (b) as specified by the buffer classification in section 78-503(d)(1) and section 78-503(d)(2).	greater of (a) 30 or; (b) as specified by the buffer classification in § 78-503(d)(1) and § 78-503(d)(2).
Maximum Height (ft)	40 Minimum Height: 20	60	45 See also § 78-511, Downtown for CS property located within Sector 3 of the Downtown	Lesser of five stories or 75 feet; for an increase in height, see § 78-510, landmark business
Maximum floor area ratio	0.5	0.5	0.3	0.7
Minimum open space	15%	25%	25%	20%

Abbreviations and terms:

1. Adj. to resid. dist.: indicates that a special side or rear yard requirement applies for every lot line abutting a parcel in a residential zoning district. The special yard requirement is as indicated above.
2. Building height: indicates that the required setback or yard is equal to the height of the tallest building on the site where the setback or yard is required.
3. N/A: indicates that the standard does not apply in the zoning district.
4. ROW: abbreviation for "right-of-way,"; can be either a public or private street, road, or access way.